



DEP & REF  
Room 307

IN THE U.S. PATENT AND TRADEMARK OFFICE

# 3/ Reg for  
Refund  
04-01-02

Applicant: R. J. DUGAN et al. : GROUP ART UNIT: 2183  
Serial No.: 10/043,489 : Examiner:  
Filed: January 11, 2002 : February 19, 2002  
Title: Method and Apparatus : Floyd A. Gonzalez  
For a Non-Disruptive Recovery : IBM Corporation  
of Single Partition in a : 2455 South Road, P386  
Multipartitioned Data : Poughkeepsie, NY 12601-5400  
Processing System

REQUEST FOR REFUND OF MISSING PARTS FEE

Assistant Commissioner for Patents  
Washington, D. C. 20231

Dear Sir:

Enclosed is a copy of a Response to Notice to file Missing Parts of Application - Filing Data Granted, along with formal drawings of the referenced application. We are requesting a refund of the fee of \$130 since the signed Declaration was originally submitted with the filed application as indicated in the transmittal. There were two Declarations filed, one with the faxed signature of Giles R. Frazier, and another one with the original signature of Robert F. Dugan.

For the reasons stated above, please refund the \$130 late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(1) to Deposit Account 09-0463.

RESPECTFULLY SUBMITTED

Floyd A. Gonzalez, Reg. 26,732

Phone: 845-433-1163

Fax: 845-432-9786

Date: 2/19/02

POU920010173US1

-1-

10/043,489

Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)

Docket No.  
POU920010173US1

In Re Application Of Robert J. Dugan and Giles R. Frazier

Serial No.  
10/043,489

Filing Date  
February 11, 2002

Examiner

Group Art Unit  
2183

Invention: Method and apparatus for a Non-Disruptive Recovery of Single Partition in a Multipartitioned Data Processing System

COPY OF PAPERS  
ORIGINALLY FILED

COPY OF PAPERS  
ORIGINALLY FILED

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
February 8, 2002  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

- Request for Refund of Fee  
- Formal Drawings (5)

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**POU920010173US1**

In Re Application of **Robert J. Dugan and Giles R. Frazier**

Serial No.  
**10/043,489**

Filing Date  
**January 11, 2002**

Examiner

Group Art Unit  
**2183**

Invention: **Method and apparatus for a Non-Disruptive Recover of Single Partition in a Multipartitioned Data Processing System**

**COPY OF PAPERS  
ORIGINALLY FILED**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

☒ Completion of application fees as calculated below:

☐ Utility application filing fee

☐ Design application filing fee

☐ Total number of independent claims =

☐ Total number of claims =

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: \_\_\_\_\_  
Date

until: \_\_\_\_\_  
Date

Total time extension fees

Total fees due **\$130.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

**Docket No.  
POU920010173US1**

In Re Application Of: **Robert J. Dugan and Giles R. Frazier**

**Serial No.  
10/043,489**

**Filing Date  
January 11, 2002**

**Examiner**

**Group Art Unit  
2183**

**Invention: Method and apparatus for a Non-Disruptive Recover of Single Partition in a Multipartitioned  
Data Processing System**

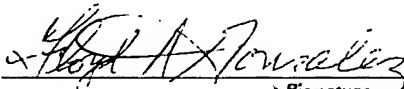
**COPY OF PAPERS  
ORIGINALLY FILED**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

The fee of **\$130.00** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **09-0463**  
A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.  
A duplicate copy of this sheet is enclosed.

  
*Signature*

**Floyd A. Gonzalez, Reg. 26,732  
IBM Corporation  
Intellectual Property Law  
2455 South Road, P386  
Poughkeepsie, NY 12601  
845-433-1163  
Fax: 845-432-9786**

**Dated: February 19, 2002**

I certify that this document and fee is being deposited on  
**February 19, 2002** with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
*Signature of Person Mailing Correspondence*

**Susan L. Nelson**

*Typed or Printed Name of Person Mailing Correspondence*

**CC:**

#2



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/043,489	01/11/2002	Robert J. Dugan	POU920010173US1



Floyd A. Gonzalez  
IBM Corporation  
2455 South Road, P386  
Poughkeepsie, NY 12601

COPY OF PAPERS  
ORIGINALLY FILED

CONFIRMATION NO. 6712

FORMALITIES LETTER



\*OC00000007449442\*

Date Mailed: 02/08/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Robert J. Dugan*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

*B. Kibretewold*

03/11/2002 MBERHE 00000004 090463 10043489  
01 FC:105 130.00 CH

2050E06849007

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2050E0" 684E400F